

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: CHAIRMAN JOHN ESP, on January 19, 2009 at
3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Sen. Jeff Essmann, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Ron Erickson (D)
Sen. Steven Gallus (D)
Sen. Kim Gillan (D)
Sen. Verdell Jackson (R)
Sen. Jesse Laslovich (D)
Sen. Bruce Tutvedt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Leanne Heisel, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 78, 1/14/2009; SB 148, 1/15/2009

Executive Action: SB 78 - do pass; SB 34 do pass as
amended: SB 109 Tabled

Committee Business:

00:00:01 Chairman Esp

[EXHIBIT\(los12a01\)](#)

[EXHIBIT\(los12a02\)](#)

referring to SB 57 heard in committee on January 7, 2009

HEARING ON SB 78

Opening Statement by Sponsor:

00:01:27 SEN. JOHN BRENDEN (R), SD 18, opened the hearing on
SB 78, Clarify mill levy limit for soil conservation
districts.

[EXHIBIT\(los12a03\)](#)

Proponents' Testimony:

00:04:16 L. Harold Blattie, Executive Director, Montana
Association of Counties (MACo)

[EXHIBIT\(los12a04\)](#)

00:05:26 Jeff Tiberi, Executive Director, Montana Association of
Conservation Districts

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:26 Chairman Esp

Closing by Sponsor:

00:07:02 Sen. Brenden

HEARING ON SB 148

Opening Statement by Sponsor:

00:07:57 SEN. JIM PETERSON (R), SD 15, opened the hearing on
SB 148, Revise and clarify local government laws.

[EXHIBIT\(los12a05\)](#)

Proponents' Testimony:

00:19:51 L. Harold Blattie, MACo

EXHIBIT(los12a06)

00:23:29 Alec Hansen, League of Cities and Towns

Opponents' Testimony:

00:24:49 John Barrows, Executive Director, Montana Newspaper
Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:07 Sen. Gillan

00:27:32 L. Harold Blattie, MACo

00:30:51 Sen. Tutvedt

00:31:03 Sen. Peterson

00:33:36 Sen. Essmann

00:34:17 L. Harold Blattie, MACo

00:36:22 Sen. Essmann

00:37:09 L. Harold Blattie, MACo

00:38:19 Sen. Barkus

00:39:16 L. Harold Blattie, MACo

00:41:00 Sen. Barkus

00:41:08 Leanne Heisel, Legislative Services Division (LSD)

00:41:42 Chairman Esp

00:42:39 L. Harold Blattie, MACo

00:42:51 Chairman Esp

00:43:16 L. Harold Blattie, MACo

00:44:20 Chairman Esp

00:46:07 Sen. Tutvedt

00:46:26 L. Harold Blattie, MACo

Closing by Sponsor:

00:46:51 Sen. Peterson

EXECUTIVE ACTION ON SB 78

00:48:42 **Motion/Vote:** SEN. GILLAN moved that **SB 78 DO PASS.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 109

00:49:22 **Motion:** SEN. GILLAN moved that **SB 109 DO PASS.**

00:49:32 **Motion:** SEN. GILLAN moved that **SB 109 BE AMENDED.**
EXHIBIT(los12a07)

Discussion:

00:50:01 Sen. Gillan
00:51:48 Chairman Esp
00:52:14 Sen. Erickson
00:52:43 Sen. Gillan
00:53:38 Leanne Heisel, LSD
00:54:09 Chairman Esp

00:54:28 **Vote:** Motion carried unanimously by voice vote.

00:54:40 **Motion:** SEN. GILLAN moved that **SB 109 DO PASS AS AMENDED.**

Discussion:

00:55:10 Sen. Gillan
00:56:25 Sen. Erickson
00:57:48 Sen. Tutvedt
00:58:40 Chairman Esp
00:59:30 Sen. Gillan

01:00:21 **Vote:** Motion failed 3-6 by roll call vote with Sens. Gillan, Erickson and Laslovich voting aye.

01:01:36 **Substitute Motion/Vote:** Sen. Essmann made a substitute motion that **SB 109 BE TABLED.** Substitute motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 34

01:01:52 **Motion:** Sen. Essmann moved that **SB 34 DO PASS.**

01:02:10 **Motion:** Sen. Gallus moved that **SB 34 BE AMENDED.**
EXHIBIT(los12a08)

Discussion:

01:02:23 Chairman Esp
01:02:31 Sen. Barkus

01:03:04 **Vote:** Motion carried unanimously by voice vote.

01:03:14 **Motion:** Sen. Essmann moved that **SB 34 DO PASS AS AMENDED.**

Discussion:

01:03:24 Sen. Essmann
01:05:07 Sen. Gillan
01:06:10 Sen. Tutvedt
01:06:48 Chairman Esp
01:07:11 Sen. Barkus
01:07:57 Chairman Esp
01:08:17 Sen. Tutvedt
01:08:48 Leanne Heisel, LSD
01:09:16 Sen. Erickson
01:11:10 Chairman Esp
01:11:51 Sen. Erickson
01:12:16 Sen. Tutvedt
01:13:27 Chairman Esp
01:13:51 Sen. Essmann

01:13:59 **Vote:** Motion carried 6-3 by roll call vote with Sens. Gallus, Gillan, and Jackson voting no.

Committee Business:

01:14:58 Chairman Esp

ADJOURNMENT

Adjournment: 4:20 P.M.

DEBRA POLHEMUS, Secretary

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Additional Exhibits:

EXHIBIT ([los12aad.pdf](#))